

YAR KACI 199 1/1/1999

MOBILE 314 314

1/1/1999

1/1/1999

1/1/1999

1/1/1999

EXHIBIT - M
002 APREAL ON SCAVETTA
USE OF FALSE INFORMATION
APREAL NOT OFFICIAL DENIED

INMATE/PAROLEE DISCIPLINARY APPEALS SCREENING FORM

Name: PINNA PBSP Log #: _____
Number: D28079 Housing: D4-102

YOUR APPEAL IS BEING REJECTED/CANCELLED AND RETURNED FOR THE FOLLOWING:

Screening Appeals Rejection Criteria:

- ☐ 1. The resolution is not within CDC's jurisdiction. See CCR, Title 15, Sections 3084.2(e) and 3084.3(c)(1).
- ☐ 2. The appeal duplicates the inmates previous appeal. See CCR, Title 15, Section 3084.3(c)(2).
- ☐ (a) Your appeal has been screened out on _____ for _____
- ☐ (b) Your appeal is being reviewed at the _____ Level, Log # _____
- ☐ (c) Your appeal has been completed at the _____ Level, Log # _____
- ☐ 3. The appeal concerns an anticipated action or decision. See CCR, Title 15, Section 3084.3(c)(3).
- ☒ 6. The appeal exceeds the 15 working days time limit, and the inmate has failed to offer a credible explanation as to why he could/did not submit the appeal within the time limit. See CCR, Title 15, Sections 3084.2(c), 3084.3(c)(6), and 3084.6(c).
- ☒ 8. Abuse of the Appeal Process/Right to Appeal.
- ☐ (a) Excessive filings. Submission of more than one non-emergency appeal within a seven-calendar-day period is excessive. See CCR, Title 15, Section 3084.4(a).
- ☐ (b) Inappropriate statements. The Appeal contains false information, profanity, or obscene language. The appeal is rejected. See CCR, Title 15, Section 3084.4(b).
- ☐ (c) Excessive verbiage. Appeal cannot be understood or is obscured by pointless verbiage or voluminous, unrelated documentation. See CCR, Title 15, Section 3084.4(c).
- ☐ (1) Only allowed 1 added page, front and back, to describe the problem and action requested in Sections A and B, per CCR, Title 15, Section 3084.2(a)(1).
- ☐ (2) Only supporting documentation necessary to clarify appeal shall be attached to the appeal, per CCR, Title 15, Section 3084.2(a)(2).
- ☐ (d) Lack of cooperation. Appellant refused to cooperate and/or interview with the reviewer which has resulted in cancellation of the appeal, per CCR, Title 15, Section 3084.4(d).
- ☐ (1) Your appeal was screened out and returned to you with instructions:
- ☐ ☐ ☐
- ☒ (e) Failed to reasonably demonstrate the decision, action, policy, or condition as having an adverse affect upon the inmate's welfare, per CCR, Title 15, Section 3084.1(a).
- ☐ (f) This is a request for information. It is not an appeal. Write a note (GA-22, Request For Interview form or CDC-7362, Medical Request form).
- ☐ 9. Cannot appeal on behalf of another inmate/person. See CCR, Title 15, Sections 3084.2(d) and 3084.3(c)(7).
- ☒ 10. Issue resolved at previous level of Appeal review. See CCR, Title 15, Sections 3084.3(c)(8) and 3084.4(d).

Comments: ERRORS ON 128 G and MCSF FORM HAVE
BEEN CORRECTED AS NOTED IN INFORMAL RESPONSE.
ICC DOES NOT ASSESS THAT YOU ARE AN ACTIVE GANG
MEMBER, LEIU DOES, AND YOU ARE BEYOND TIME LIMIT
TO APPEAL YOUR VALIDATION. ICC REVIEW AND

D. W. BRADBURY
Appeals Coordinator

MAY 09 2008

ENSURES THAT YOUR FILE CONTAINS A CURRENT
128 B2 AND OTHER APPROPRIATE DOCUMENTS. YOU'VE

This screening decision may not be appealed unless you can support an argument that the above is inaccurate.
In such a case, please return this form to the Appeals Office with the necessary supporting information.

APR 27 2008

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

NOT IDENTIFIED ANY ONE PROCESS ISSUE COMMITTED BY
ICC THAT MAY BE WITHIN TIME LIMITS TO APPEAL.

INMATE/PAROLEE DISCIPLINARY APPEALS SCREENING FORM

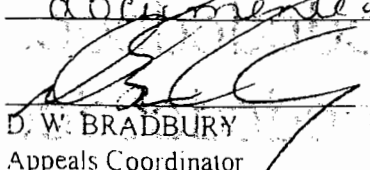
Name: Pina PBSP Log #: _____
Number: 28079 Housing: D-1102

YOUR APPEAL IS BEING REJECTED/CANCELLED AND RETURNED FOR THE FOLLOWING:

Screening Appeals Rejection Criteria:

- ☐ 1. The resolution is not within CDC's jurisdiction. See CCR, Title 15, Sections 3084.2(e) and 3084.3(c)(1).
- ☐ 2. The appeal duplicates the inmates previous appeal. See CCR, Title 15, Section 3084.3(c)(2).
☐ (a) Your appeal has been screened out on _____ for _____
☐ (b) Your appeal is being reviewed at the _____ Level, Log # _____
☐ (c) Your appeal has been completed at the _____ Level, Log # _____
- ☐ 3. The appeal concerns an anticipated action or decision. See CCR, Title 15, Section 3084.3(c)(3).
- ☒ 6. The appeal exceeds the 15 working days time limit, and the inmate has failed to offer a credible explanation as to why he could/did not submit the appeal within the time limit. See CCR, Title 15, Sections 3084.2(c), 3084.3(c)(6), and 3084.6(c).
- ☐ 8. Abuse of the Appeal Process/Right to Appeal.
☐ (a) Excessive filings. Submission of more than one non-emergency appeal within a seven-calendar-day period is excessive. See CCR, Title 15, Section 3084.4(a).
☐ (b) Inappropriate statements. The Appeal contains false information, profanity, or obscene language. The appeal is rejected. See CCR, Title 15, Section 3084.4(b).
☐ (c) Excessive verbiage. Appeal cannot be understood or is obscured by pointless verbiage or voluminous, unrelated documentation. See CCR, Title 15, Section 3084.4(c).
☐ (1) Only allowed 1 added page, front and back, to describe the problem and action requested in Sections A and B, per CCR, Title 15, Section 3084.2(a)(1).
☐ (2) Only supporting documentation necessary to clarify appeal shall be attached to the appeal, per CCR, Title 15, Section 3084.2(a)(2).
☐ (d) Lack of cooperation. Appellant refused to cooperate and/or interview with the reviewer which has resulted in cancellation of the appeal, per CCR, Title 15, Section 3084.4(d).
☐ (1) Your appeal was screened out and returned to you with instructions:
☐ _____ ☐ _____ ☐ _____
☐ (e) Failed to reasonably demonstrate the decision, action, policy, or condition as having an adverse affect upon the inmate's welfare, per CCR, Title 15, Section 3084.1(a).
☐ (f) This is a request for information. It is not an appeal. Write a note (GA-22, Request For Interview form or CDC-7362, Medical Request form).
- ☐ 9. Cannot appeal on behalf of another inmate/person. See CCR, Title 15, Sections 3084.2(d) and 3084.3(c)(7).
- ☐ 10. Issue resolved at previous level of Appeal review. See CCR, Title 15, Sections 3084.3(c)(8) and 3084.4(d).

Comments: The decision as to whether an inmate is
a gang member is not made by a committee
but rather LCIU. LCIU's decision which is
documented on a 1285-2 is what should


D. W. BRADBURY
Appeals Coordinator

MAY 19 2008
Date

This screening decision may not be appealed unless you can support an argument that the above is inaccurate.
In such a case, please return this form to the Appeals Office with the necessary supporting information.

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

PBSP Rev. 02/05 CCR 3084.3(c) PBSP

have been appealed. The 1285-2 was dated

INMATE/PAROLEE

APPEAL FORM

CDC 602 (12/87)

Location

Institution

PBSP

Log No

Category

6/8

2

2

gang validation

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
PINA PABLO	D-28079	SHU	D-74 102

A. Describe Problem: ON FEBRUARY 22ND 2006 MY CASE WENT BEFORE THE D-FACILITY I.C.C. FOR ANNUAL REVIEW, ALTHOUGH I WAS NOT PRESENT BECAUSE I DID REFUSE TO GO, THE I.C.C. HAS ELECTED TO RETAIN ME IN (SHU) INDETERMINATELY AND IS RECOMMENDING THAT THE CSR-BOARD CONTINUE THIS PLACEMENT INDEFINATELY DUE TO MY VALIDATION AS AN ACTIVE GANG MEMBER. SEE ATTACHED 128 C-2 CHRONO, DATED 2/22/06. THE CASE WENT BEFORE THE CSR-BOARD ON 3/30/06 AND AGREED TO RETAIN ME AS INDETERMINATE SHU, AND CONCURS WITH THE PBSP I.C.C. ASSESSMENT THAT I AM AN ACTIVE GANG MEMBER, BUT THE CSR ASKS WHY THEY ADDED AN "ESCAPE HISTORY" WITHOUT ANY JUSTIFICATION OR REASONS, (SEE ATTACHED SHEET)

If you need more space, attach one additional sheet.

B. Action Requested: THAT THE PBSP COMMITTEE, AND THE ADMINISTRATION CEASE FROM INCORRECTLY CLASSIFYING ME AS AN ACTIVE GANG MEMBER, UNDER CCR TITLE 15 3378, AND FROM FALSELY ADDING TO THE CSR BOARD AN ALLEGED ESCAPE HISTORY, SEE CSR-BOARD'S CHRONO, AND THAT ALL THAT IS ERRONEOUSLY AND WITHOUT FACTUAL EVIDENCE IN MY C-FILE BE REMOVED. I'M ALSO ASKING PBSP-ADMINISTRATION PAY ME FOR THE DAMAGE AND CONTINUED SLANDER/DEFAMATION \$5,000 DOLLARS.

Inmate/Parolee Signature: Pablo Pina Date Submitted: 4/17/06

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: THE MINIMUM CUSTODY SCREENING FORM WAS MARKED "ESCAPE HISTORY" IN ERROR, AND THE BOX "CLASSIFICATION SCORE" WAS NOT MARKED WHICH WAS AN ERROR. THIS HAS BEEN CORRECTED AND A COPY ATTACHED TO THIS APPEAL. PINA'S VALIDATION AS A MEMBER OF THE NUCERA FAMILIA (NF) PRISON GANG IS APPROPRIATE AND WAS BEEN VALIDATED BY LCU.

Staff Signature: [Signature] CC 1(A) Date Returned to Inmate: 4/24/06

D. FORMAL LEVEL

If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

I am not a member of any Prison Gangs, nor am I associating with any Gang nor have I been involved in any type of Gang Activity. The I.G.I. and The Board (CSR) continue to label me as a Validated Gang Member so they can deprive me of being released to a mainline under the inactive status. By fabricating evidence to make it seem as if I was recently involved in Gang activity.

Signature: Pablo Pina Date Submitted: 4/26/06

Note: Property/Funds appeals must be accompanied by a completed Board of Control form BC-1E, Inmate Claim

CDC Appeal Number

25/34/31
APR 27 2008
MAY 11 2006
34



602 APPEAL ATTACHMENT 1

RE: CSR BOARD'S DECISION
TO RETAIN AS INDET. SHU.
DUE TO PBSP I.C.C. RECOMMENDATIONS.

THERE HAS NEVER BEEN ANY MENTION OF ANY ESCAPES OR ANY HISTORY OF ESCAPES IN ALL MY TIME IN THE PRISON SYSTEM. FOR SOME REASON SOMEONE ELECTED TO ADD THIS IN WITH ALL THE OTHER MATERIAL/RECOMMENDATIONS BY THE PBSP COMMITTEE, AND WAS NO EVIDENCE TO SUPPORT IT. BUT WAS ADDED AT THE LAST MINUTE SO IT WOULD MAKE ME LOOK LIKE IF I WAS LET OUT I'D BE AN ESCAPE RISK.

THE INSTITUTION COMMITTEE, AND ADMINISTRATION FABRICATED THIS ESCAPE HISTORY TO SWAY THE CSR BOARD'S DECISION, WHICH IS A DEFAMATION OF MY CHARACTER,

AS IS THE ERROR IN THEIR CONTINUED CLASSIFICATION OF ME AS AN ACTIVE GANG MEMBER, WHEN THEY KNOW THAT I AM NOT IN ANY WAY ACTIVELY INVOLVED WITH ANY GANG ACTIVITY, BUT THEY CONTINUE TO CLASSIFY ME AS A THREAT BECAUSE OF THIS GANG MEMBERSHIP, AND CONTINUE TO SLANDER MY NAME WITH ACCUSATIONS WHICH HAVE NO FOUNDATION OR FACTUAL EVIDENCE, I'VE ASKED THAT THIS BE STOPPED AND CORRECTED, BUT IT SEEMS THAT PBSP GANG UNIT, AND ADMINISTRATION CONTINUE TO ADD MORE FABRICATED INFORMATION INTO MY C-FILE AND CONFIDENTIAL FILE, THE GANG UNIT HAS BEEN CONFISCATING MY MAIL, AND OR HOLDING IT FOR WEEKS, EVEN MONTHS, USING THIS GANG AFFILIATION AS GROUNDS TO DO SO, AND USING UNPROVEN EVIDENCE FOR THE SOLE PURPOSE OF SLANDER, DEFAMATION, LIBEL, MY PERSON, CHARACTER, AND INTENTIONS.

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS
CDC 128G (Rev. 12/91)

NO: D-28079

NAME: PINA, Pablo

D4-102

Custody: MAX S

CS: 427 (IV) D1/D EFF 5/21/05

Assignment: SHU/INDET

RelDate: MEPD 2/18/12

Reclass: 8/2006

Action: RETAIN SHU/INDET; REFER CSR RX PBSP SHU

BPH INIT 1/2011

Inmate Pina refused to appear before PBSP FAC-D SHU ICC on this date for Annual/114D Review. Prior to ICC, W. Barlow was assigned as staff assistant and was present during Committee, as S is CCCMS. Prior to Committee, S was issued an updated copy of his CDC 114D dated 2/17/06 and the CDC 812A Notice of Critical Case Information - Prison Gang Identification, updated by IGI on 2/16/06. Committee notes a CDC 128-B2 dated 5/24/05, citing 8 documents that meet prison gang validation requirements. S is affiliated with a prison gang that is known to be involved in criminal activities which threaten the safety of others and institution security, and this requires continued segregation from the GP. S is informed, via this chrono, that the Departmentally recognized avenues for release from SHU are through the debriefing process or through being determined to be an inactive prison gang member or associate as delineated in CCR, Title 15, Sections 3378(e) and 3341.5(c)(4)(5). C-file reflects IGI completed an Active/Inactive Review on 9/30/04. S does not meet criteria for inactive status as outlined in CCR, Title 15, Section 3378(e). S will be eligible for Inactive Review in 6/2007. Committee acts to retain SHU/INDET and refer to CSR with recommendation for PBSP SHU based on his validation as an active member of the "Nuestra Familia (NF)" prison gang. The prior CSR action dated 4/6/05, noted no concerns. DDP Review, CDC 128C-2 is in C-file. S has no cellmate, and Committee notes the "S" custody suffix has previously been applied. Committee acts to retain the "S" suffix, because S has not successfully completed the compatibility review for double celling in PBSP SHU. S is advised, via this chrono, of Committee's decision and his right to appeal. Next scheduled Committee will be in 8/2006, for 180-Day Review.

CHAIRPERSON: C. SCAVETTA/AW

L. WILLIAMS/FC

W. BARLOW/CCI

J. NEVOTT/PH.D

RECORDER: M. PEÑA/CCI

CC: ☐ OBIS ☒ CSR ☐ IGI ☐ PSYCH ☐ MED ☐ C&PR ☐ OTHER
Committee Date: 2/22/06 (BARLOW/jw) Classification FAC-D ICC/REVIEW

☐ 128-C2 in C-file
Inst: PBSP

State of California

Department of Corrections
CDC 128-G

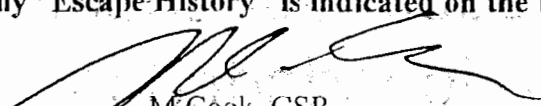
No. D-28079

NAME: PINA

Comment: PBSP-SHU endorsed to serve an Indeterminate SHU term. CS = 427.

SHU Indeterminate retention endorsed per ICC action of 2/22/06. Inmate remains a threat to the security of the institution by his continuing association with a prison gang engaged in a criminal conspiracy against the safety of others. CDC 128-B-2 of 5/24/05 is noted. All referenced documents are present in the file, properly annotated and properly disclosed. LIFE Prisoner Status is noted. Next BPT hearing currently scheduled for 1/2011. Inmate requires CCCMS level of MHSDS care; however, not precluded from PBSP-SHU per CDC 128-C of 11/3/05. Inmate is NDD per CDC 128-C2 of 3/17/04. Arson concern is noted. Violent history noted (VIO). TB Code is 22. CDC 812 is noted. Confidential file is noted. Enemy is housed at PBSP-SHU. Staff are advised to continue to monitor current enemy situation and house accordingly. 'S' Suffix is noted.

- Staff to justify why "Escape History" is indicated on the MCSF per update of 2/17/06.


M. Cook, CSR

Date: 3/30/2006

Classification - CSR ACTION

PBSP

THE FACT THAT THE MEMBERS OF THE I.C.C. ARE PROMOTING WITH THEIR CONTINUED CLASSIFICATION THAT I AM A GANG MEMBER AND INVOLVED IN GANG ACTIVITY, THE MEMBERS OF THE COMMITTEE HAVE AGREED IN THIS DESIGNATION, AND BELIEVE IN WHATEVER INFORMATION WAS GIVEN TO THEM, WHICH I AM ATTEMPTING TO CHALLENGE AS IS MY RIGHT TO APPEAL ANYTHING THAT ADVERSELY AFFECTS ME, AND BY THEIR AGREEMENT THAT I AM A VALIDATED GANG MEMBER, THEY ENCOURAGE THE CONTINUED CLASSIFICATION OF AN ACTIVE GANG MEMBER, AND THE CONTINUED RETENTION OF ME IN THE (SHU). . . . AND, LIKE THE GANG UNIT, THE LEIU, AND THE CSR BOARD, THE COMMITTEE REVIEWS THE CENTRAL FILE AND AGREES WITH THE RECOMMENDATION FROM THE GANG UNIT AND IT IS THE MEMBERS OF THE COMMITTEE WHO DECIDES IF THE DECISION FOR INDETERMINATE SHU SHOULD GO TO THE CSR BOARD, AS FAR AS TIME LIMITS, THERE COULDN'T BE A LIMIT, IF THEY ARE CONTINUALLY ACCUSING ME OF GANG AFFILIATION, AND THE RECENT 128 CHRONO SHOWS THEY ARE CLASSIFYING ME AS AN ACTIVE GANG MEMBER, WHEN I AM NOT, THIS APPEAL HAS TO DO WITH FALSELY CLASSIFYING ME AS AN ACTIVE GANG MEMBER.

STATE OF CALIFORNIA

DEPARTMENT OF CORRECTIONS

MINIMUM CUSTODY SCREENING FORM

This non-confidential form is used to determine eligibility status for minimum custody and minimum support facility placement. This form is to be filed in chronological order in the Classification section of the central file and updated at each annual review or Classification Staff Representative referral.

EXCLUSIONARY FACTORS		DATE 6-16-99		DATE 2-17-06		DATE		DATE	
		P	L	P	L	P	L	P	L
Violent felonies	VIO	X		X		X			
Sex Offense	SEX								
Time-to-Serve	TIM/LIF/PRE	X		X		X			
Classification Score	CLS	X		X		X			
Escape History	ESC					X			
Holds	HOL (INS)								
Prison Gang Membership	GAN	X		X		X			
Disciplinary History	DIS				X				
SHU/PHU History	SHU/PHU		X		X				
Med/Psy Condition	MED/PSY								
Influence	ESC								
High Notoriety	PUB								
Arson	ARS								

ELIGIBILITY STATUS FINDING

Inmate is Camp/MSF eligible	E				
Inmate is Permanently ineligible	P	X		X	
Inmate is Temporarily ineligible	L				

REASON FOR INELIGIBILITY

Primary Factor	VIO	Vio	Vio	
Secondary Factor	TIM	Tim	Lif	

Reference/Comments

PC 187

STAFF COMPLETING/UPDATE

PRINT NAME AND WRITE INITIALS	TITLE	INSTITUTION	DATE
D. Bruce DB	CC1	PBSP-SHU	6-16-99
G. Brame GB	CC2	PBSP-SHU	8-15-05
W. Barker WB	CC1	PBSP-SHU	2-17-06

CDC NUMBER	INMATE/PAROLEE NAME
D-28079	Pina, Pablo

COPIED & FILED
IN THE
NORTH CAROLINA
STATE
ARCHIVE
MAR 24 2008
FBI - MEMPHIS
6005-89-80

DEPARTMENT OF CORRECTIONS AND REHABILITATION
PELICAN BAY STATE PRISON

SHU

APRIL 2008

EXHIBIT

CDC# _____ PRINT LAST NAME ONLY _____ HOUSING UNIT _____

MARK ON THE LINE NEXT TO THE ITEM YOU WANT. ONLY MARKED ITEMS WILL BE DELIVERED. CANTEEN STAFF WILL NOT SHOP FOR YOU.

CUSTODY STAFF IS REQUIRED TO REMOVE CANTEEN PRODUCTS FROM THE MANUFACTURER'S PACKAGING AND PLACE IT INTO AN APPROVED CONTAINER. INMATES WILL BE CHARGED FOR THESE CONTAINERS AT THE APPROVED IWF PRICES AS LISTED BELOW.

NUMBER OF CUPS @ .30 ea.

NUMBER OF BAGS @ .03 ea.

MISCELLANEOUS ITEMS

SHOWER SHOES XL LIMIT 1 0.95

MOUTH GUARD LIMIT 1 0.75

TOILET TISSUE LIMIT 2 0.85

PHOTO DUCAT LIMIT 1 2.00

PHOTO DUCATS MAY BE PURCHASED BY QUALIFIED INMATES ONLY NO REFUNDS

ELECTRONICS

PURCHASE AT YOUR OWN RISK
NO WARRANTY

HEADPHONES & EXT. CABLE LIMIT 1

STEREO HEADPHONES W/18' Cord 3.40

TV CABLE 6FT. 2.15

STEREO "Y" ADAPTER 4.95

MONO TO STEREO ADAPTER 1.35

SONY EARBUDS W/3' CORD 10.75

12 Ft. Audio Extension Cable 3.15

GREETING CARDS**LIMIT 5 TOTAL**

THINKING OF YOU 0.85

MISSING YOU 0.85

BIRTHDAY - ADULT / FEMALE 0.85

BIRTHDAY - ADULT / MALE 0.85

BIRTHDAY - CHILD / GIRL 0.85

BIRTHDAY - CHILD / BOY 0.85

BLANK CARD 0.85

MOTHER'S DAY 0.85

POSTAGE**LIMIT OF 40 TOTAL****STAMPED ENVELOPES AND POSTCARDS**

STAMPED ENVELOPE 0.42X

POST CARDS Sold in Packs of 5 1.30X

New Postage Rates Apply May 14th

2¢ Additional Postage Required for

Both Stamped Envelopes and Postcards

Send Trust Withdrawal w/Mail

Until New Postage Arrives

STATIONARY

TABLET 8 1/2 x 11 LIMIT 3 0.70

9 x 12 ENVELOPE 10 PK LIMIT 1 1.00

#10 ENVELOPE 40 PK LIMIT 1 1.00

ADDRESS BOOK 2" x 3" 1.35

HEALTH CARE**LIMIT 1 EACH**

IBUPROFEN =1 BAG 2.85

MULTI-VITAMINS =1 BAG 2.10

BODY CARE**LIMIT 1 TOTAL**

COCOA LOTION 12oz =1 CUP 1.25

VITAMIN "E" LOTION 12oz =1 CUP 1.25

HAIR CARE**LIMIT 1**

Strawberry Shampoo 15oz. =1CUP 1.50

CLARIFYING SHAMPOO =1CUP 1.50

DANDRUFF SHAMPOO 12oz =1CUP 1.25

SOAP**LIMIT 2 TOTAL**

DIAL 4oz CLEAR TALLOWATE 0.90

HERITAGE SOAP 3oz CLEAR 0.70

DEODORANT**LIMIT 2 TOTAL**

ACTIVE FRESH DEO 3oz =1CUP 2.90

ANTIPERSPIRANT 3oz =1CUP 2.90

DENTAL**LIMIT 2 TOTAL****AQUAFRESH LIMIT 1**

AQUAFRESH SENSITIVE 5.6 =1CUP 3.50

COLGATE CLEAR 4.2 oz =1CUP 2.10

EFFERGRIP LIMIT 1 =1CUP 4.90

FLOSSER LOOPS- 30Pkg LIMIT 1 1.75

COFFEE / BEVERAGES

FOLGERS 8oz DECAF 6.80

=2 CUPS OR 1 BAG

FOLGERS 8oz =2 CUPS OR 1 BAG 6.40

BRADFORD 4oz 2.90

= 3 PER CUP OR 1 BAG

HOT CHOCOLATE MIX 2 Pound Bag 3.10

= 3 CUPS OR 1 BAG

TEA BAGS 100/BX =3 Box per Bag 1.75

PACKAGED FOODS

REFRIED BEANS AND RICE 0.80

FLOUR TORTILLAS 10 per pkg. 1.40

OATMEAL VARIETY PK Limit 2 2.55

SOUPS**LIMIT 24 TOTAL****6 PER BAG SAME FLAVOR**

BEEF 0.55+

SHRIMP 0.55+

SPICY CHILI CHICKEN 0.55+

CRACKERS

SALTINES =1 BAG 1.45

CHEESE =1 BAG 1.45

NUTS & SNACKS**10 of Each Item Per One Bag**

CORN NUTS BBQ 0.80

PEANUTS 4oz 0.95

JELLY BEANS 0.75

COOKIES**2 Per Bag Same Flavor**

ASSORTED 14 oz 1.20

DUPLEX CRE'ME 1.05

ICED HONEY BUN 6oz. 0.85

CHIPS

CHILI CHEESE CORN CHIP =1 BAG 1.20

PORK SKINS HOT =2 BAGS 1.50

BUTTER POPCORN 1.5oz =2 BAGS 0.55

BBQ POTATO CHIP 6oz =2 BAGS 1.30

CANDY**20 PER BAG**

LARGE HERSHEY W / ALMONDS 1.30

BIG HUNK 0.65

SNICKERS 0.65

MILKY WAY 0.65

M & M PLAIN 0.65

SKITTLES 0.65

PAYDAY 0.65

PENNY CANDY LIMIT 34 0.01

USED AS CHANGE ONLY

IF YOUR BALANCE IS \$2.00 OR UNDER
 WOULD YOU LIKE TO SPEND IT?

YES _____ NO _____

J. RUPERT
 PRISON CANTEEN MANAGER II

M.A. COOK
 AW - BUSINESS SERVICES

+/- PRICE INCREASE / DECREASE
 \$ NEW ITEM
 X DELETION (WHILE SUPPLIES LAST)

YOU ARE LIMITED TO \$45.00

YOU MUST FILL OUT YOUR CANTEEN LIST WITH YOUR NAME AND CDC#, AND YOU MUST SIGN YOUR DUCAT.

ALL CANTEEN BALANCES WILL BE RETURNED TO THE TRUST OFFICE AT THE END OF THE MONTH.

YOU MUST USE A CURRENT CANTEEN LIST FOR THE MONTH YOU ARE SHOPPING.

YOU MUST CHECK YOUR ORDER AS IT IS BEING ISSUED BY CUSTODY.

CANTEEN CANNOT GUARANTEE YOU WILL RECEIVE SPECIFIC FLAVORS, LIKE ITEMS WILL BE SUBSTITUTED.

PRICES, SIZES AND BRANDS ARE SUBJECT TO CHANGE WITHOUT NOTICE.

CANTEEN DUCATS THAT WILL NOT BE ACCEPTED THROUGH INSTITUTIONAL MAIL. LATE DUCATS WILL NOT BE PROCESSED.

PABLO PIÑA D-28079
P.O. BOX 7500 D-4102
CRESCENT CITY, CALIF 95531

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA.

PABLO PIÑA
PLAINTIFF.

V.

JAMES TILTON,
ETAL,
DEFENDANTS.

DECLARATION OF
PABLO PIÑA D-28079
CIV * 007-4989 S.I.

I PABLO PIÑA D-28079 HEREBY DECLARES THAT;

- 1). I AM THE PLAINTIFF IN THIS ACTION UNDER OF COLOR OF STATE LAW.
- 2). THAT I HAVE BEEN HELD IN THE SECURITY HOUSING UNIT OVER TWENTY YEARS.
- 3). THE DEFENDANTS NAMED IN THE CIVIL SUIT KNOW THAT I AM NOT ACTIVE IN GANG ACTIVITY. YET REFUSE TO RECLASSIFY ME AS INACTIVE.
- 4). AS A SHU INMATE I AM NOT GIVEN THE SAME TYPE OF PRIVILEGES THAT THE GENERAL POPULATION INMATES RECIEVE.
- 5). THE CONTINUED SEGREGATION VIOLATES MY RIGHT TO BE FREE FROM CRUEL AND UNUSUAL PUNISHMENT.
- 6). I SEEK DECLARATORY AND COMPENSATORY RELIEF FROM THE NAMED DEFENDANTS.

I DECLARE UNDER PENALTY OF PERJURY THE FOLLOWING IS
TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND RECOLLECTION.

DATED 7/19/07

SUBMITTED
Pablo Piña

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PABLO PIÑA
PLAINTIFF.

V.

JAMES TILTON

ET AL.

DEFENDANTS.

CIV. # C07-4989 SI.

DECLARATION
PABLO PIÑA D-28079

PABLO PAUL PIÑA D-28079 HEREBY DECLARES;

- 1). THAT I PLAINTIFF IN THIS ACTION AND MOST OF THE INMATES IN A-POD D-4 OVER HEARD THE 3RD WATCH OFFICERS. PARKER, WILLIAMS. AND SEE TALKING ABOUT WHAT WAS DONE TO OFFICER MCCOVEY. BEING FORCED TO A DIFFERENT JOB ASSIGNMENT. BY SGT. RANGEL D- PROGRAM SGT.
- 2). AND HOW MCCOVEY WAS VERY UPSET THAT SHE WAS BEING TOLD TO MOVE FROM THE SHU.
- 3). OFFICER MCCOVEY IS THOUGHT OF REAL GOOD HERE BECAUSE SHE WOULD COME AND HELP PASS OUT CANTEEN AND FOOD TRAYS. USUALLY IT TAKES A FEW DAYS TO GET CANTEEN PASSED OUT BUT WITH MCCOVEY HELPING IT WAS DONE FASTER.

- 4). DEFENDANT PARKER AND THE OTHERS IN 3RD WATCH WERE HAPPY ABOUT MCCOVEY BEING KICKED OUT OF THE SHU. BUT DEFENDANT HARDING AND PARKER WERE THE HAPPIEST OF THEM ALL.
- 5). DEFENDANT SGT. HARDING WAS THE ONE WHO CAME INTO THE UNIT TO TELL DEFENDANT PARKER THAT THEY DID IT. THEY GOT RID OF HER (MCCOVEY).
- 6). FOR A FEW DAYS OTHER OFFICERS WHO CAME INTO THE UNIT COMMENTED ABOUT HOW THE SGT. AND MCCOVEY GOT INTO A HEATED ARGUMENT OUT IN THE CORRIDOR AND HOW MCCOVEY REFUSED TO GO AWAY.
- 7). THE DEFENDANT SGT. RANGEL TOLD MCCOVEY IF SHE DIDN'T GO THAT HE'D HAVE HER PROPERTY SEARCHED AND THE OTHER GUY'S TOO.
- 8). MCCOVEY ASKED FOR A COUPLE DAYS BEFORE GOING AND THE SGT. TOLD HER NO! THAT HE WANTED HER TO GO RIGHT THEN.
- 9). I HAVE NO DOUBT THIS ALL TOOK PLACE, NOR AMY DOUBT IT WAS CAUSED BY THE DEFENDANT PARKER AND HARDING BY USING PLAINTIFF'S NAME TO DO IT.
- 10). I ALSO KNOW THAT ALL THE INFORMATION I'VE SPOKEN ABOUT COULD BE EASILY VERIFIED BY MCCOVEY.
- 11). THERE IS NO WAY THAT I COULD KNOW ALL THAT I DO UNLESS HEARING IT FROM OFFICERS ON 3RD WATCH AS DESCRIBED.
- 12). I HAVE JUST AS MUCH AT STAKE AS DOES MCCOVEY BECAUSE IF NOT CORRECTED IT WILL JUST HAPPEN AGAIN AND AGAIN TO SOMEONE ELSE. OR AFFECT PLAINTIFF AS WELL AS MCCOVEY.

I DECLARE UNDER PENALTY OF PERJURY THE ABOVE IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

DATED 10/30/07.

SUBMITTED
Dale King

YAG MAG: 11-11-11

NOSEH 11/11

11-11-11

11-11-11

11-11-11

11-11-11

PABLO PIÑA
D-28079 D-4 102*
P.O. BOX 7500
CRESCENT CITY, CALIF
95531

United States District Court
for the Northern District of California.

Pablo Piña
Plaintiff.

v.
JAMES TILTON
ETAL.
DEFENDANTS.

CIV # 007-4989 S.I.
AFFIDAVIT
FROM PABLO PIÑA
D-28079.

I Pablo Piña D-28079 a Prisoner at Pelican Bay State Prison
and Party to this action hereby declares that;

- 1) I was moved from my old cell and unit D-4 223* in the shu, SECURITY housing unit to D-4 102* The short corridor Hallway.
- 2) The move from one cell and unit to another was a mandatory one that was being done by the Institutional Gang unit.
- 3) When they came to my cell door in January 2006, and told me to pack my property I refused at first and said I wasn't going any where.
- 4) I was in a Good spot and used to get a lot of extra yard time Because

- alot of inmates only went to the yard for thirty minutes or not at all. and the control officer would let me stay out on yard for three or four hours on the weekends.
- 5). And Because I'd been there for quite a while I had no problems with any of the officers or anyone. And had a set program.
- 6). But no sooner that I arrive to D-4 in January 2006, I can't pinpoint the day and time for each event, and or conversation, Because for one it was constant. If not daily damn near.
- 7). The Floor officer for 3rd watch was a lady named Parker, and the control Booth officer was ORTEGA. right after ORTEGA got sick or something a lady ended up taking his spot. She was an older lady.
- 8). right about that time Parker began talking to other officers out there in the rotunda area where they got a desk. about another officer named MCCOY.
- 9). she was saying she didn't like having MCCOY in her unit. and was telling the control lady and her S&E. at first no one said anything they just listened.
- 10). It should be noted that alot of these officers go to other units to help out with canteen, Pass out food, etc. etc. or They go and sit out there and Bullshit. It's real common.
- 11). so I didn't understand why Parker was saying she don't want this other female officer in the unit. she didn't say that about any one else. and people were always coming in the unit.

- 12). A SGT. named Harding was one of them, at the time I didn't know his name I've seen him a lot though, just never spoke to him but he was out there sitting talking with Parker for hours. he also would help her pass out food trays and it was okay for him to do it.
- 13). From my cell I can hear them talking pretty clearly and after a while from listening I can tell who is talking as the voices are regular, and the way some of them walk around with keys and things rattling. I know which cop is out there.
- 14). And I'm not the only one that can hear, the building echoes so it's easy to listen to people. like they can hear us in the pod.
A lot of what I've spoken about here some of these inmates have commented on over the tier. especially the stuff regarding McCovey. they just don't know why they're doing it, like I do. only that they're sweating McCovey.
- 15). So one day Parker and that SGT. Harding are out there talking and Parker brings up how McCovey is coming into the unit and she don't want her here. and she thinks it's because of plaintiff.
- 16). As soon as I heard my cell number my ears really tuned in, because out of nowhere my cell comes into the mix. what the hell do I got to do with anything. so I'm damn curious now. Because I'm being linked to McCovey. it could be worse they could be linked me to a battle axe.
- 17). So SGT. Harding says to Parker if she wants to do something about it she has to file a report on McCovey. But she needs to get others to file reports as well or it's her word against McCovey.
- 18). Within days Parker started telling the lady up in control to file a report on McCovey.
at first the old girl wasn't with it. I could tell she didn't want to do it. But Parker stayed on her.

until finally the lady broke down one day and I heard her say "okay what do I do". and Parker said JUST Go down to the office and tell them that mccokey is coming into the unit to see this inmate. the Plaintiff. and something else.

and the old girl says when? and Parker says as soon as you get off work go down to the office. I don't know which office, she just said the office. like that's a place everyone knows. (I'm guessing it's probably Sgt. Harding).

19). at around this time mccokey would come and work here in the unit off and on. But it was obvious Parker did not like mccokey. she would not talk to her, at first the other officers did. no one had a problem with her.

20). But that changed quick with weeks. maybe months passing and Parker on a non stop campaign to make mccokey look bad. she started telling her other 3rd watch officer's they need to file reports against mccokey too, so they can get rid of her.

21). None of the other officers ever said anything about mccokey. They spoke to her like any other officer, until Parker started putting things in their head. then they slowly began to pull away from mccokey. talking about her all the time.

22). I have been a prisoner a long time. and yes a gang member and recognize a lot of the Bullshit Parker and her co-workers were doing are very similar to how prisoners act. straight out back stabbing some one you don't like. or whom is not part of your inner circle. especially someone who doesn't kiss butts. and mccokey is like that. she's a tough lady. she used to be really mean. and treated inmates like subhumans. a typical officer.

23). I have never done anything to Parker, in the two years I've been here I can't think of ever talking to her except to ask for something. and once I get what I need I take off. I have no need to converse with her or any one.

and I could care less if they talk to me or not. I'm a prisoner and know my place.

- 24). I WAS AROUND PARKER EVERY DAY AND I NEVER TALK TO HER. AND SHE'S THE FLOOR OFFICER SO HOW CAN SHE FIGURE THAT IM GOING TO TALK TO ANYONE ELSE. PARKER MAY TRY AND SAY THAT SHE HASNT ACCUSED ME OF ANYTHING, BUT WHEN SHE GOES TO THE EXTREME OF HAVING MCCOVEY BANNED FROM COMING INTO (A. POD) BECAUSE I LIVE IN IT. THAT PROVES SHE'S ACCUSING ME AS MUCH AS SHE HAS ACCUSED MCCOVEY. HER REPORTS MENTION US BOTH.
- 25). I Believe That The Only Reason All Of This Became An Issue Is Because Of How MCCOVEY LOOKS. SHE'S PROBABLY ONE OF THE BEST LOOKING OFFICERS AROUND HERE. AND RECENTLY ONE OF THE MALE OFFICERS WAS SAYING THAT SHE ONLY WANTS ATTENTION. BUT IT'S MORE LIKE THE ATTENTION SHE GETS FROM PRISONERS AND MALE OFFICERS, NOT WHAT SHE WANTS.
- 26). AS AN INMATE WHO HAS BEEN IN PRISON OVER TWENTY YEARS OF COURSE IM GOING TO LOOK AT HER. THATS WHAT A MAN IS SUPPOSE TO DO.
- 27). BUT A PRISONER KNOWS HIS PLACE, BUT ALSO KNOWS THAT THERE'S NOTHING WRONG WITH LOOKING AT HER OR OTHER LADIES.
- 28). THOSE OFFICERS (MALE OFFICERS), WHO FILED REPORTS ON MCCOVEY DID SO BECAUSE SHE DOESN'T REACT LIKE THEY'D WANT. SO THEY DO WHAT THEY CAN TO DISCREDIT HER BY ACCUSING HER OF MISCONDUCT. LIKE GIRLS THEY RUN AROUND GOSSIPING ABOUT HER, NOT PICKING AT ANYTHING SHE DOES. I BET THAT WHEN ALL REPORTS ARE BROUGHT OUT THAT THOSE MAKING ACCUSATIONS ARE AMONG THAT GROUP.
- 29). MCCOVEY ISN'T THE ONE FILING THIS LAWSUIT I AM. EVEN THOUGH SHE HAS AS MUCH RIGHT TO SEEK DAMAGES AS I DO. MAYBE MORE. BUT SHE HAS STOOD LOYAL TO HER JOB. AND STILL THEY STAB HER IN THE BACK. SHE'S MORE OF A COP THAN MOST OF THESE IDIOTS. AND THEY KNOW IT.
- 30). I HEARD PARKER TELLING ANOTHER LADY ONE DAY. THAT MCCOVEY DON'T HAVE NO GREY HAIR EITHER. WHAT KIND OF MISCONDUCT COULD THAT BE. BUT IT ONLY SHOWS THAT ITS NOT WHAT MCCOVEY IS DOING. ITS BECAUSE OF WHAT SHE LOOKS LIKE. THE FAT GUY THAT WAS S & E WAS TELLING PARKER A STORY ABOUT ANOTHER OFFICER CUBBY AND PARKER SNAPPED AT HIM, "DON'T MENTION THAT NAME TO ME" AND HE SAID NO, ITS SOMEONE ELSE AND SHE SAID "I DON'T CARE" I DON'T WANT THAT NAME MENTIONED AROUND ME."

- 31). I ALSO KNOW THAT THE SUPERVISORS IN D-FACILITY, THE DEFENDANTS ALL KNOW THAT THIS IS A THING BETWEEN TWO FEMALES. I HEARD ONE OF THE SGT'S COME IN ON 2ND WATCH AND SAY AS MUCH. HE SAID HE DON'T CARE IF THEY DON'T LIKE EACH OTHER. THEY NEED TO WORK THROUGH IT. BUT HE SHOULD OF TOLD PARKER THAT.
- 32). IN AUGUST OR SEPTEMBER 2006, AFTER HEARING ALL THIS FOR MONTHS I SENT A COMPLAINT TO SGT. BARNEBURG AND THE I.G.I. EXPLAINING WHAT PARKER WAS DOING. TRYING TO ACCUSE MCCOVEY OF MISCONDUCT AND USING ME TO DO IT. AND BECAUSE SHE DON'T LIKE MCCOVEY, I TOLD HIM MCCOVEY WORKS HERE OFF AND ON. BUT DON'T TALK TO ME. I PERSONALLY THOUGHT SHE HATED ME. SHE ALWAYS GIVES ME A STONY LOOK. SHE NEVER GIVES ME THE SUPPLIES I ASK FOR. THE ONLY REASON I HAVEN'T FILED A 602 ON MCCOVEY IS BECAUSE SHE'D PROBABLY THROW IT AT ME. SGT. BARNEBURG NEVER ANSWERED THAT COMPLAINT.
- 33). INVESTIGATORS FROM THE GANG UNIT ARE ALWAYS IN THESE UNITS, SO I KNOW THEY ARE AWARE OF WHAT PARKER IS DOING, AND EITHER ARE ENCOURAGING IT, OR ALLOWING IT TO CONTINUE. EVERYTHING THAT GOES ON HERE HAS TO BE REPORTED. SO ALL DEFENDANT MUST KNOW.
- 34). AFTER ALL THE 3RD WATCH OFFICERS FILED REPORTS ON MCCOVEY, THEY WERE EACH CALLED TO SOME KIND OF INQUIRY ONE BY ONE. I HEARD PARKER TELL THE OTHERS THEY ASKED WHAT MCCOVEY WAS DOING. AND WHY. SHE TOLD THEM THAT SHE WAS COMING TO SEE PLAINTIFF.
- 35). RIGHT AFTER THAT SGT. HARDING WALKED INTO THE UNIT SAYING THEY DID IT. THAT MCCOVEY CANT COME INTO D-4 ANY MORE. HE THEN TOLD CONTROL OFFICER "AT NO TIME IS HE TO LET HER INTO THE UNIT AT ALL."
- 36). SOMETIME LATER THE S.E.E COMES TO WORK AND TELLS PARKER THAT MCCOVEY IS STILL WORKING D-4 ON 2ND WATCH. HE WORKED OVER TIME AND WAS SITTING OUT THERE AND SAW HER.
- 37). PARKER PICKED UP THE PHONE AND CALLED HER FRIEND SGT. HARDING WHO CAME AND AFTER HE HEARD ABOUT MCCOVEY SAID OKAY I'LL TAKE CARE OF.

38) WITHIN DAYS AFTER THAT ON 2ND WATCH, SGT. RANGEL COMES INTO THE UNIT IN THE MORNING AND TELLS THE CONTROL BOOTH AND FLOOR OFFICER THAT MCCOVEY IS BANNED FROM D-4 SHE IS NOT TO BE LET IN THE BLOCK FOR ANY REASON, AND SHE ESPECIALLY ISN'T TO GO IN (A-POD) WHERE PLAINTIFF IS.

39) I SAW THIS WAS GETTING OUT OF HAND, I HEARD OFFICERS TELL MCCOVEY SHE HAD TO LEAVE THE UNIT. OR "YOU CAN'T COME IN HERE". ABOUT THIS TIME I WAS WAITING FOR MY INACTIVE STATUS REVIEW, AND FELT THIS IS GOING TO AFFECT IT, UNLESS EVERYTHING ELSE THEY USE IT. TRUE OR NOT.

40) I AM NOT WANTING TO PUT MCCOVEY THROUGH ALL THIS BUT IF IT CONTINUES ITS GOING TO GET WORSE AND IT QUICKLY DID. BY THIS TIME I HADN'T SEEN MCCOVEY IN MONTHS ONCE IN A WHILE I'D HEAR HER NAME ON THE INTER-COM.

41) ONE DAY PARKER'S FAT S&E COMES IN THE UNIT AND TELLS PARKER HE WAS WORKING ON A-YARD AND HEARD THAT MCCOVEY HAS THE SAME DAYS OFF AS PARKER, AND THAT PROBABLY MCCOVEY IS WORKING IN D-4 ON THOSE DAYS, FRIDAY AND SATURDAY.

42) PARKER TOLD FAT BOY SHE'LL TAKE CARE OF IT, AND CALLED SGT. HARDING WHO CAME RIGHT AWAY, AFTER PARKER TOLD HIM MCCOVEY MAYBE WORKING IN D-4 ON 2ND WATCH SGT. HARDING SAID OKAY I'LL TAKE CARE OF IT, AND LEFT.

43) WITHIN DAYS SGT. RANGEL AND MCCOVEY GOT INTO A BIG ARGUMENT OUT IN THE CORRIDOR. SGT. RANGEL WAS YELLING AT MCCOVEY TO GO TO ANOTHER JOB ASSIGNMENT OUT OF THE SHU.

44) MCCOVEY AT FIRST DIDN'T WANT TO GO AND ARGUED WITH THE SGT. THEN HE TOLD HER HE WOULD HAVE HER PROPERTY SEARCHED AND THAT OTHER GUY TOO. BY THIS TIME I'M FEELING PRETTY DAMN BAD FOR MCCOVEY, BECAUSE I KNOW IT'S NOT TRUE AND THEY GOT THE DECK STACKED AGAINST HER.

IT'S NOT ALL JUST THE THING WITH PARKER, IT'S ABOUT INTIMIDATION NOTHING MORE. AND IF SHE DON'T GO ALONG WITH IT, SHE GETS TREATED LIKE THIS.

45) SO MCCOVEY WAS KICKED OUT OF THE SHU. ON PARKER'S FIRST DAY BACK FROM VACATION SGT. HARDING CAME IN ALL HAPPY SAYING "WE DID IT. WE GOT RID OF HER FOR GOOD" AND PARKER SAID WHO, AND HE SAID MCCOVEY SHE'S GONE FOR TWO YEARS.

46). PARKER REALLY HAD IT IN FOR MCCOY. HER AND HER CO-WORKERS WERE ALWAYS WANTING TO KNOW WHERE MCCOY WAS AT. WHO SHE WAS WORKING WITH, IF SHE WAS IN SHU.

47). AFTER PARKER HEARD THEY GOT RID OF MCCOY SHE TOLD THE CONTROL BOOTH THAT'S ONE LESS PROBLEM SHE HAS TO DEAL WITH. PLAINTIFF FEELS SHE STILL HAS SOME UNFINISHED BUSINESS, AND IT COULD BE HIM.

48). AND THE REASON HE BELIEVES THIS IS BECAUSE HE HEARD PARKER'S 3RD WATCH CO-WORKERS SAY THEY NEED TO GET RID OF CELL 102* AS SOON AS THE NEW 3RD WATCH FLOOR OFFICER COMES IN.

49). BUT PLAINTIFF JUST CARE ABOUT NONE OF THAT. A CELL IS A CELL, BESIDES THAT HE TOLD BARNEBURG IF THEY THINK HE'S THE PROBLEM HERE THEN MOVE HIM. HE JUST DON'T WANT TO HEAR ALL THAT DRAMA PARKER IS SPREADING.

50). THE GANG UNIT KNOWS I HAVE FRIENDS WHO WORK FOR THE MEDIA, THEY KNOW BECAUSE THEY READ MY MAIL. I DON'T WANT TO PUSH THIS TO ANOTHER LEVEL, IF I CAN AVOID IT. THIS IS A DUMB ISSUE PARKER STARTED, AND WE'RE ALL CAUGHT UP IN IT.

51). I FILED A 602 AND SENT IT TO BARNEBURG AND IN AUGUST 18 2007 HE CAME AND INTERVIEWED ME. I TOLD HIM ID LIKE COPIES OF ANY REPORTS FILED AGAINST ME OR AGAINST MCCOY THAT MENTION ME. HE TOLD ME THAT IM MISTAKEN THERE'S NOTHING GOING ON WITH MCCOY. SHE IS NOT BANNED FROM WORKING D-4 OR ANY WHERE ELSE. HE SAID THE REASON I HAVENT SEEN HER IS BECAUSE SHE IS ON RELIEF AND VACATION.

52). MY ISSUE IS NOT THAT I WANT TO SEE MCCOY BUT THE REPORTS THAT WERE FILED TO HAVE HER RESTRICTED, THAT USED MY NAME. BECAUSE THEY WILL REMAIN IN MY FILES FOREVER, AND WILL ALWAYS BE USED AGAINST ME. AND BORDERS ON DEFAMATION.

- 53). THE INFORMATION WILL BE USED TO CONTINUE TO HOLD ME IN SHU, IT WILL ALSO PREVENT MCCOVEY FROM HER JOB ASSIGNMENTS BECAUSE OF THIS ACCUSATION, WHICH IS ALREADY BEING DONE TO HER.
- 54). AND I WANT TO SHOW THAT THE GANG UNIT WILL USE ANYTHING AGAINST PRISONERS TO KEEP THEM IN THE SHU. IF THEY'D DO IT TO ONE OF THEIR OWN OFFICERS. AN INMATE DON'T STAND A CHANCE.
- 55). PLAINTIFF KNOWS FROM LISTENING THAT PARKER HAS INFLUENTIAL FRIENDS WHICH IS WHY NO ONE HAS QUESTIONED HER ACTIONS, WHILE MCCOVEY HAS NO ONE HELPING HER. IN MANY WAYS MCCOVEY IS LIKE ME WHO THE HELL IS GOING TO BELIEVE HER AGAINST THE DEFENDANTS. MY WORD IS OBVIOUSLY WORTHLESS, OR THIS WOULD NOT OF WENT AS FAR AS IT HAS.
- 56). BUT IN ALL REALITY MY MAIN MOTIVATION IN ALL THIS IS TO SHOW THE DEFENDANTS WHAT CAN HAPPEN WHEN THEY LET SOMEONE LIKE PARKER RUN-A-MUCK. EVERYONE WHO DON'T LIKE MCCOVEY HAS JUMPED ON THE LET'S DOG MCCOVEY BAND WAGON. AS FOR PLAINTIFF WHAT THE HELL HE'S JUST AN INMATE, WHO CARES, WHAT HE DON'T KNOW WON'T HURT HIM.
- 57). THE QUESTION REMAINS, ARE THEY AFTER MCCOVEY OR AFTER THE PLAINTIFF AND THAT CAN ONLY BE ANSWERED BY REVIEWING ALL REPORTS WRITTEN TO, AND BY THE DEFENDANTS REGARDING THIS ISSUE, AND CONDUCTING A THOROUGH INVESTIGATIVE DISCOVERY.
- 58). PLAINTIFF ALSO KNOWS THAT SGT. HARDING AND DEFENDANTS ARE STILL TRYING TO MAKE MCCOVEY LOOK BAD THAT SHE IS DOING SOMETHING WRONG, EVEN THOUGH PARKER IS NO LONGER IN D-4 THEY TELL THE NEW 3rd WATCH TO WATCH MCCOVEY
- 59). BEFORE PARKER WAS MOVED SHE WAS TELLING HER CO-WORKERS THAT NO MATTER WHAT SHE DON'T WANT MCCOVEY EVER TO WORK IN D-4. SHE WAS TALKING LIKE SHE WAS THE DAMN WARDEN. WHO DIED AND MADE HER BOSS.

60). ITS KIND OF FUNNY HOW THE DEFENDANTS ALL COMPLAIN ABOUT MCCONEY YET ALL OF THEM, PARKER INCLUDED, TALK AND PLAY AROUND WITH INMATES. AND ITS OKAY. BUT WHEN MCCONEY COMES AROUND JUST ACTING NORMAL, WHICH IS USUALLY HAVING AN ATTITUDE, SHE GETS ALL THE HEAT.

61). MCCONEY USED TO HAVE A SERIOUS ATTITUDE PROBLEM. BUT MOST OFFICERS DO WHEN THEY FIRST START WORKING HERE. SHE'S ONLY LIKE TWO FEET TALL AND LOOKS LIKE SHE'S TOO YOUNG TO WORK HERE. SO SHE HAS TO ACT LIKE THAT. OR NO ONE WOULD TAKE HER SERIOUS. AND HER BOOTS ARE TOO BIG FOR HER.

62). I KIND OF LIKE THAT SHE'S SHOWING A LITTLE BIT OF THE HUMAN SIDE OF HER, AND TALKS A LITTLE MORE NOW. AND I DON'T SEE ANYTHING WRONG WITH IT, BUT OBVIOUSLY THE DEFENDANTS DO. ONLY THEY CAN TALK TO INMATES I GUESS.

63). IM SURE THAT CDCR HAS POLICIES AND PROCEDURES AGAINST THE TREATMENT THAT DEFENDANTS HAVE BEEN DISTING OUT TO MCCONEY. I DO KNOW ITS AGAINST THE LAW TO DISCRIMINATE. AND CREATE AN UNHEALTHY WORK PLACE. NOT TO MENTION SLANDER AND DEFAMATION.

I DECLARE UNDER PENALTY OF PERJURY THAT
THE FOLLOWING IS TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND RECOLLECTION.

DATED 4/15/08.

Respectfully Submitted
Jefko Juma
AFFIANT

APPEAL

INMATE/PAROLEE
APPEAL FORM
CDC 602 (12/87)

Location: Institution/Parole Region.

Log No.

Category

COPY

6/18
INACTIVE
REVIEW

You may appeal any policy, action or decision which has a significant adverse affect upon you. With the exception of Serious CDC 115s, classification committee actions, and classification and staff representative decisions, you must first informally seek relief through discussion with the appropriate staff member, who will sign your form and state what action was taken. If you are not then satisfied, you may send your appeal with all the supporting documents and not more than one additional page of comments to the Appeals Coordinator within 15 days of the action taken. No reprisals will be taken for using the appeals procedure responsibly.

NAME	NUMBER	ASSIGNMENT	UNIT/ROOM NUMBER
PINA PABLO	D-28079	SHU	D-9 223

A. Describe Problem: THE FOLLOWING IS IN REGARDS TO THE DENIAL BY THE DEPARTMENTAL REVIEW BOARD (DRB) ON 5/24/05 OF (INACTIVE GANG STATUS). PER C.C.R. TITLE 15 § 3378 (d)-(e);
THE RECOMMENDATION GIVEN BY THE I.G.I. IS THAT I SHOULD BE RETAINED AS AN ACTIVE MEMBER OF A PRISON GANG, ACCORDING TO WHAT INMATES WHO HAVE DEBRIEFED (INFORMED) IN THEIR ACTIVITIES IN GANG ACTIVITIES, IT IS WELL KNOWN THESE TYPE OF INDIVIDUALS WILL SAY WHATEVER I.G.I. WANT THEM TO JUST TO BENEFIT BY IT. IN MOST CASES ITS HEARSAY EVIDENCE. "THEY HEARD THIS OR THAT"; I.G.I. THEN RECOMMENDS DUE TO INFORMATION THEY HAVE THAT I AM ON THE GANGS HIT LIST, THAT I STILL BE HELD IN SHU. SO IF IM ON THAT HIT LIST THEN I SURELY CANT BE ACTIVE IN THAT GANG, ITS EITHER ONE OR THE OTHER, BUT CANT BE BOTH.
 If you need more space, attach one additional sheet. THEY ALSO KNOW THAT IVE NOT ASSOCIATED WITH THE GANG AT ALL.

B. Action Requested: THAT THE ACTIVE STATUS BE REMOVED FROM MY C-FILE AND STATUS, AND IF THEY CANT OR DONT WANT TO RELEASE ME FROM (SHU) THEN THEY MUST PROVIDE ME WITH THE SAME TYPE OF PROGRAM ACCESSIBILITY AND SIMILAR PRIVILEGES THAT THEY GIVE TO PRISONERS IN A MAINLINE SETTING. (SEE ATTACHED REPORT)

Inmate/Parolee Signature: Pablo Pina Date Submitted: 9/11/05

C. INFORMAL LEVEL (Date Received: _____)

Staff Response: _____

Staff Signature: _____ Date Returned to Inmate: _____

D. FORMAL LEVEL

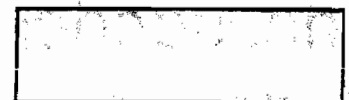
If you are dissatisfied, explain below, attach supporting documents (Completed CDC 115, Investigator's Report, Classification chrono, CDC 128, etc.) and submit to the Institution/Parole Region Appeals Coordinator for processing within 15 days of receipt of response.

Signature: _____ Date Submitted: _____

Note: Property/Funds appeals must be accompanied by a completed

CDC Appeal Number:

Board of Control form BC-1E, Inmate Claim



15

INMATE/PAROLEE DISCIPLINARY APPEALS SCREENING FORM

Name TINA PBSP Log # D9-223
Number D28079 Housing _____

YOUR APPEAL IS BEING REJECTED/CANCELED AND RETURNED FOR THE FOLLOWING:

Screening Appeals Rejection Criteria

- ☐ 1. The resolution is not within CDC's jurisdiction, CCR 3084.2 (e) and 3084.3 (c) (1).
- ☐ 2. The appeal duplicates the appellant's previous appeal, CCR 3084.3 (c) (2).
☐ (a) Your appeal has been screened out on _____ for _____
☐ (b) Your appeal is being reviewed at the _____ Level, Log # _____
☐ (c) Your appeal has been completed at the _____ Level, Log # _____
- ☐ 3. The appeal concerns an anticipated action or decision, CCR 3084.3 (c) (3).
- ☐ 6. The appeal exceeds the 15 working days time limit, and the inmate has failed to offer a credible explanation as to why he could/did not submit the appeal within the time limit, CCR 3084.2 (c), 3084.3 (c) (6), and 3084.6 (c) (effective Nov.96).
- ☐ 8. Abuse of the appeal process/Right to Appeal (effective November 1996)
☐ (a) Excessive filings. Submission of more than one non-emergency appeal within a seven-calendar-day period is excessive, CCR 3084.4 (a).
☐ (b) Inappropriate statements. The Appeal contains false information, profanity, or obscene language, the appeal is rejected, CCR 3084.4 (b).
☐ (c) Excessive verbiage. Appeal cannot be understood or is obscured by pointless verbiage or voluminous, unrelated documentation, CCR 3084.4 (c).
☐ (1) Only allowed 1 added page, front and back, to describe the problem and action requested in sections A and B per CCR 3084.2 (a) (1).
☐ (2) Only support documentation, necessary to clarify appeal shall be attached to appeal, per CCR 3084.2 (a) (2).
☐ (d) Lack of cooperation. Appellant refused to cooperate and/or interview with the reviewer which has resulted in cancellation of the appeal per CCR 3084.4 (d).
☐ (1) Your appeal was screened out and returned to you with instructions: _____
☐ (e) Failed to reasonably demonstrate the decision, action, policy, or condition, as having an adverse affect upon the inmate's welfare, per CCR 3084.1 (a).
☐ (f) This is a request for information. It is not an appeal. Write a note (GA-22, Request For Interview Form).
- ☐ 9. Cannot appeal on behalf of another inmate / person, CCR 3084.2 (d) and 3084.3 (c) (7).
- ☐ 10. Issue resolved at previous level of Appeal review, CCR 3084.3 (c) (8) and 3084.4 (d).

Comments:

DRB Decisions ARE NOT APPEALABLE.

D. W. BRADBURY, CCI
PBSP Appeals Coordinator

Date

9/23/05

This screening decision may not be appealed unless you can support an argument that the above is inaccurate. In such a case, please return this form to the Appeals Office with the necessary supporting information.

PERMANENT APPEAL ATTACHMENT - DO NOT REMOVE

PBSP

(69SR9905.DOC) (Rev. Nov. 2, 2004) CCR 3084.3(d)

PBSP

SEP 16 2008

S

July 7, 2008

This is kind of hard for me, I don't even know where to begin. I do know that I want you to be a part of mine and my babies lives. I'm sorry it took me so long to find you, actually I knew where you were I just couldn't get the address. I finally broke down and called uncle Joe and asked him for it. I hope it's okay that I'm writing to you.

Well ne-way, let me tell you a little about me. Right now I'm living in Tennessee, I've been here for seven months now before that I was living in Cherokee, N.C. but I got sick of the bull shit, it was time for me to move away from my fucked up family and Mom. I Haven't had any thing to do with them since last November. Let me tell you Dad it feels so good to be free I'm happy and content were I'm at. I lived in Cherokee since '99, I left Folsom cause a lot of

bad shit happened between
 me and Ray, so I left after
 I turned 10. Dad so many
 things have happened in-
 between the years, Do you
 remember my Grand Ma Nora?
 Well, she passed away back
 in 1991. That's who I named my
 lit girl after, her name is
 No-Lay Da-Na-Le Pura, in
 English it's Nora Danielle.
 She turned three May 7,
 Dad, my babies bring me so
 much joy and happiness. There
 were times when I just felt
 like I wanted to give up, I
 felt like screaming "fuck the
 world" I can remember just
 being out there me against
 the world, looking down at
 my daughter crying but seeing
 her smile assured me that
 we'd make it and it kept
 me from taking the easy
 way out. My son his name
 is Kays. Gsu-Da-Tsu in
 English it means father, I
 named him after you; I hope
 you don't mind. He just
 turned one June 30th.
 I'm pregnant with my
 second son, his due

S

3-

July 20th, we're going to
U-We-Na-i Kain,
means Richard, after
his Dad. Yes, their all from
the same Dad. Right now
he's doing time, he took the
fall for some other dudes.
He's looking at 8-10 years
we won't know for sure
until he goes for sentencing,
he already got his PSI back
so he should have court
some time soon. He was
looking at catching a murder
rap but so far they don't
have enough to convict him
of it. The feds are full of
shit, that's my opinion!

So how have you been?

I'll be 22 this August 7th.
Do you still go for parole
when I'm 25? That's what
mom said, I've been counting
down the years, I'd really
like to meet you some day.
Just to let you know Dad
I've never held it or hated
you for never being around.
My family tried to keep
me away in fear of their
own lives, that's why I
only got to visit Grandpa

Notes

and wrote Sue for five minutes because Mom was with me and she was scared. I've always wanted to know the other side of the family, I feel lost because I'm not really native but I'm hispanic and but I don't know nothing about the hispanic race, I can't even speak the language like they kept me. I feel robbed! I really hope that you'll except me for the person I am, I'm straight up and I keep it real, so I hope you'd respect me. I want to do the same. I take a lot of ask of you is to be a part of my life and give grand babies it. Thanks too much then. Love you and mi until you always.

I always
your daughter
Josephina Pina

P.O. Box 202
LAPWAI, ID. 83540

6:28 p.m.
January 20, 1998

Pablo Paul Piña = aka Dad = →

hey whats up? Me not to much just chilling here at home listening to some Tupac "I aint mad at 'cha". Dont worry I finished my home work. So hows life? life for me is really good so far. I guess you dont really have one. I dont mean to be a b*tch but for 12 years of my life I've always wondered about my dad and how my life would be and where I'd be. I remember back in the day's it used to hurt so much because all I used to hear was my dad did this and we went here, we had fun and then they'd ask me what I did with my dad but I could never tell them I didn't know him or he was never there for me because he was in Jail. Dad some times I had to go cry in the little girls room because every one was mean to me and teased me. But when I got to 6th grade I put it behind me. I guess you can say I sorta forgot about you I know that sounds all rugged but now that I'm older I can now see why it took so damn long for you to do what you did and why. You dont have

=Page 2=

to tell me why your doing time! I would like to know but if you aren't comfortable with it yet I can wait. Dad don't let it bother you no matter what you did it was in the past and I'd just like to spend my future with you and I'll still love you for you dad. I guess thats enough of that mushy sh*t. So how come you said I probably think that I'm all that? I guess some times I do think that I'm all that but thats because I am all that(ayes)

Dad you should be proud of me because today I was the only one with a 98 on my math test. Dad I'm I named after any one?

because there's alot of ho's + sluts out here in lapwai with the name Stephanie and it makes my name look bad 'cause I'm not no freaking slut but still it would be good to know some one that aint always high, drunk or sleeping around with some one.

Dad I think you should be really proud of me because I've never messed around you know its the 90's and a lot of teens are getting pregnate or knockee up. I've also never gotten high or drunk even though I've had so many chances almost every day.

= page 3 =

If you dont like my lang. please tell me because I'm really trying my hardest to not cuse. If there's any thing you ever want to know about me just ask and I'll tell you with out hesitation (I guess thats spelled right)

Please dont worry I wont get ^{with} no one because half of the guys are my buds and the rest are ~~my~~ Playas but if I do it wont be all summer time because thats where I go to ~~SS Dakota~~ My uncle Bo has a little boy named Blue

(know my uncle Ray told me that ~~you~~ he met you and that you knew my uncle Bo and that you met my mom through him. I have

his address so if you ever want it I can

give it to ~~you~~ you I hope you dont get

trouble but one year I was in S.D. and

Bo + Missy and my mom, Amy + Perry was up there for a while I was asking her

about you she wouldnt tell me cause

I guess Bo heard me asking her so

when she left he told me but I forgot

if it was like 4 years ago

SS. I know it was a while ago

but I know it was a while ago

= page 4.

my arm is getting tired
 that's why I'm writing sorry
 so I should go pretty soon
 but before I go I want to
 tell you that I always thought
 my mom, dad and your family
 didn't care about me but
 when I got your sisters letter my
 aunt Maggie's letter I gave it a
 second chance and maybe there
 was hope but I know that I
 think about it I now realize (spelled wrong)
 that there's not much to do in
 prison so now I understand.
 I hope your /my Aunt /your sister
 will ~~later~~ understand so please
 tell her that I'm sorry about not
 writing her back. I know it was
 probably hard for you guys to
 find me and you guys did. I really
 Appreciate (spelled wrong)
 all the time your sister took to
 find me and you to dad. So
 please let her know that I'm
 sorry

= Page 5 =

but thank her. I must really be
crazy because she sat down and
found time to write a letter to
her brothers daughter she don't
know and look now I repay
her. So it would really
mean alot Dael.

BORN
AUG 7TH 1983
15 YRS. old

Sorry
Daddy

Only
I tell
water

always me
for
daughter
Stephanie Ann

In loving Memory of
Sister Quanah
Sept 2, 181 to Aug 27, 98
When U get there
Uanah
eslie
Icaro
U lotz Quan
S
169



State of Idaho

DEPARTMENT OF HEALTH AND WELFARE

Division of Welfare

BUREAU OF CHILD SUPPORT SERVICES, REGION II

PHILIP E. BATT
Governor

LINDA L. CABALLERO
Director

JO AN SILVA
Administrator

1118 F Street
Lewiston, ID 83501
(208) 799-4465
Information line (800) 356-9868

August 1, 1997

PABLO P. PINA
c/o PELICAN BAY ST PRISO
PO BOX 7500
CRESCENT CITY CA 95532-7500

RE: Dependents: Stephanie J. Pina,

Dear Pablo P. Pina:

Your dependents are receiving medical support services from the State of Idaho. Their medical support is your responsibility. The Bureau of Child Support Services is responsible to seek medical coverage for your dependents.

If your court order requires you to provide medical insurance and you currently have your dependents insured, you must send proof of insurance to our office. If your court order requires you to provide medical insurance and your dependents are NOT insured, the Bureau needs to know the reasons why they are not insured. If your court order does not provide for medical coverage, the Bureau must obtain an order for medical coverage, preferably with your cooperation.

Please complete the attached form (502). All the information requested is necessary to the Bureau. Please return the completed form within fourteen (14) days of the date of this letter.

The Bureau is mandated to take enforcement actions if the medical information requested is not provided within the 14 days. The Bureau prefers to establish a cooperative relationship with you. Please feel free to call your regional office if you have questions or cannot provide the information within 14 days.

Sincerely,

Judy Lupinacci
Support Officer

Enclosure: CSS 502
Case# 060155

Region: 02/B

CSS 082 - 1/95

2:1124